

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Aaron W. Pikovsky
Josephine T. Pikovsky
Debtor(s)

Bankruptcy Case No.: 15-21336-GLT
Issued Per 8/23/2018 Proceeding
Chapter: 13
Docket No.: 84 - 76
Concil. Conf.: August 23, 2018 at 09:00 AM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated June 27, 2018 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Aug. 23, 2018 at 09:00 AM, in 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: .
- ☒ H. Additional Terms: A Fee Application is needed if any fee (including retainer) exceeds \$4,000.00 including any fees paid to prior counsel.

Toyota Motor Credit Cor to be paid \$356.26 per month as long term continuing debt retroactive to August, 2017.

Claim No. 1 of Lakeview Loan Servicing governs with payment changes to date.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.



Gregory A. Taddonio, Judge
United States Bankruptcy Court

Dated: August 23, 2018

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 5
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Aaron W. Pikovsky
 Josephine T. Pikovsky
 Debtors

Case No. 15-21336-GLT
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: dbas
 Form ID: 149

Page 1 of 2
 Total Noticed: 34

Date Rcvd: Aug 23, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 25, 2018.
 db/jdb

cr +Aaron W. Pikovsky, Josephine T. Pikovsky, 11860 Beacon Drive,
 North Huntingdon, PA 15642-8874
 +Equitable Gas Bankruptcy Department, Attn: Judy Gawlowski, 225 North Shore Drive 2nd Floor,
 Pittsburgh, PA 15212-5860
 14030167 ++BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238
 (address filed with court: Bank of America, PO Box 15019, Wilmington, DE 19886-5019)
 14060500 CAPITAL ONE, N.A., C/O BECKET AND LEE LLP, POB 3001, MALVERN, PA 19355-0701
 14030178 ++CITIBANK, PO BOX 790034, ST LOUIS MO 63179-0034
 (address filed with court: Goodyear Credit Plan, PO Box 183015, Columbus, OH 43218-3015)
 14087278 +Cavalry SPV I, LLC, Assignee of Capital One Bank USA, N.A., Bass & Associates, P.C.,
 3936 E Ft. Lowell Road Suite #200, Tucson, AZ 85712-1083
 14030171 Chase Card Service, Card Member Services, P. O. Box 15153, Wilmington, DE 19886-5153
 14030172 Chase Card Services, PO Box 15153, Wilmington, DE 19886-5153
 14030174 Chase Card Services - Marriott Rewards, PO Box 15153, Wilmington, DE 19886-5153
 14039138 +Department Stores National Bank For Macys Branded, Bankruptcy Processing, Po Box 8053,
 Mason, OH 45040-8053
 14030179 Kohl's Payment Centre, PO Box 2983, Milwaukee, WI 53201-2983
 14030180 M&T Bank, PO Box 619063, Dallas, TX 75261-9063
 14030181 Macy's, PO Box 183083, Columbus, OH 43218-3083
 14032930 +PNC BANK, N.A., PO BOX 94982, CLEVELAND, OHIO 44101-4982
 14030184 PNC Bank, PO Box 747032, Pittsburgh, PA 15274-7032
 14030185 Sears Credit Cards, PO Box 183082, Columbus, OH 43218-3082
 14030187 +Toyota Financial Services, PO Box 4102, Carol Stream, IL 60197-4102
 14080386 +Toyota Lease Trust, c/o Toyota Motor Credit Corporation, PO Box 9013,
 Addison, TX 75001-9013
 14717644 +Toyota Motor Credit Corporation, PO Box 9013, Addison, Texas 75001-9013
 14040144 Wells Fargo Bank, N.A., P.O. Box 19657, Irvine, CA 92623-9657
 14030188 Wells Fargo Dealer Services, P.O. Box 25341, Santa Ana, CA 92799-5341

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
 cr

+E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Aug 24 2018 01:49:42
 PRA Receivables Management LLC, POB 41067, Norfolk, VA 23541-1067
 14030170 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Aug 24 2018 01:49:40 Capital One,
 PO Box 71083, Charlotte, NC 28272-1083
 14030175 E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Aug 24 2018 01:41:52 Comenity - New York & Co.,
 PO Box 659728, San Antonio, TX 78265-9728
 14030176 E-mail/Text: mrdiscen@discover.com Aug 24 2018 01:41:42 Discover, PO Box 71084,
 Charlotte, NC 28272-1084
 14034245 E-mail/Text: mrdiscen@discover.com Aug 24 2018 01:41:42 Discover Bank,
 Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025
 14046266 E-mail/Text: camanagement@mtb.com Aug 24 2018 01:41:51 M&T BANK, PO BOX 1288,
 Buffalo, NY 14240
 14030182 E-mail/PDF: gecsedirecoverycorp.com Aug 24 2018 01:49:37 Old Navy Visa, PO Box 960017,
 Orlando, FL 32896-0017
 14030183 +E-mail/Text: bankruptcies@orangelake.com Aug 24 2018 01:41:42
 Orange Lake Country Club, Inc., 8505 West Irlo Bronson Memorial Highway,
 Kissimmee, FL 34747-8201
 14092049 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Aug 24 2018 02:03:00
 Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
 14743495 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Aug 24 2018 02:03:55
 Portfolio Recovery Associates, LLC, POB 41067, Norfolk, VA 23541
 14060123 E-mail/Text: bnc-quantum@quantum3group.com Aug 24 2018 01:41:57
 Quantum3 Group LLC as agent for, Comenity Bank, PO Box 788, Kirkland, WA 98083-0788
 14030186 E-mail/PDF: gecsedirecoverycorp.com Aug 24 2018 01:50:08 Synchrony Bank, PO Box 96061,
 Orlando, FL 32896-0061
 14092822 E-mail/PDF: gecsedirecoverycorp.com Aug 24 2018 01:49:38 Synchrony Bank,
 c/o Recovery Management Systems Corp, 25 SE 2nd Ave Suite 1120, Miami FL 33131-1605
 TOTAL: 13

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr Lakeview Loan Servicing, LLC
 cr Toyota Motor Credit Corporation
 14030168* ++BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238
 (address filed with court: Bank of America, PO Box 15019, Wilmington, DE 19886-5019)
 14030169* ++BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238
 (address filed with court: Bank of America, PO Box 15019, Wilmington, DE 19886-5019)
 14030173* Chase Card Services, PO Box 15153, Wilmington, DE 19886-5153
 14030177* Discover, PO Box 71084, Charlotte, NC 28272-1084

TOTALS: 2, * 4, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

District/off: 0315-2

User: dbas
Form ID: 149

Page 2 of 2
Total Noticed: 34

Date Rcvd: Aug 23, 2018

***** BYPASSED RECIPIENTS (continued) *****

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Aug 25, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 23, 2018 at the address(es) listed below:

Andrew F Gornall on behalf of Creditor Lakeview Loan Servicing, LLC
andygornall@latouflawfirm.com
James Warmbrodt on behalf of Creditor Toyota Motor Credit Corporation bkgroup@kmlawgroup.com
James Warmbrodt on behalf of Creditor Lakeview Loan Servicing, LLC bkgroup@kmlawgroup.com
Kenneth Steidl on behalf of Joint Debtor Josephine T. Pikovsky
julie.steidl@steidl-steinberg.com,
ken.steidl@steidl-steinberg.com;ifriend@steidl-steinberg.com;asteidl@steidl-steinberg.com;leslie.
nebel@steidl-steinberg.com;todd@steidl-steinberg.com;cgoga@steidl-steinberg.com;rlager@steidl-steinberg.com
Kenneth Steidl on behalf of Debtor Aaron W. Pikovsky julie.steidl@steidl-steinberg.com,
ken.steidl@steidl-steinberg.com;ifriend@steidl-steinberg.com;asteidl@steidl-steinberg.com;leslie.
nebel@steidl-steinberg.com;todd@steidl-steinberg.com;cgoga@steidl-steinberg.com;rlager@steidl-steinberg.com
Matthew John McClelland on behalf of Creditor Lakeview Loan Servicing, LLC
bkgroup@kmlawgroup.com
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteedpa.com
S. James Wallace on behalf of Creditor Equitable Gas Bankruptcy Department sjw@sjwpgh.com,
Equitablebankruptcy@peoples-gas.com;srk@sjwpgh.com

TOTAL: 9